

**EIGHTY-FIFTH GENERAL ASSEMBLY
2013 REGULAR SESSION
DAILY
SENATE CLIP SHEET**

MARCH 19, 2013

SENATE FILE 170

S-3031

1 Amend Senate File 170 as follows:
2 1. Page 1, after line 18 by inserting:
3 <d. This subsection does not apply when such
4 applicability would cause the same preference to be
5 applied under the laws of another state against an
6 Iowa-based business participating in a competitive
7 bidding process in such state.>
8 2. Page 1, line 19, by striking <d.> and
9 inserting <e.>
10 3. Page 2, after line 19 by inserting:
11 <d. This subsection does not apply when such
12 applicability would cause the same preference to be
13 applied under the laws of another state against an
14 Iowa-based business participating in a competitive
15 bidding process in such state.>
16 4. Page 2, line 20, by striking <d.> and
17 inserting <e.>

By CHARLES SCHNEIDER

S-3031 FILED MARCH 18, 2013
WITHDRAWN

SENATE FILE 272

S-3025

1 Amend Senate File 272 as follows:
2 1. Page 2, by striking lines 11 through 33.
3 2. Title page, lines 3 and 4, by striking
4 <vehicles, the restore the outdoors program, and
5 protected wetlands.> and inserting <vehicles and the
6 restore the outdoors program.>
7 3. By renumbering as necessary.

By CHRIS BRASE

S-3025 FILED MARCH 18, 2013

SENATE FILE 304

S-3026

1 Amend Senate File 304 as follows:
2 1. Page 2, line 13, by striking <2015 through 2017>
3 and inserting <2017 through 2019>
4 2. Page 2, line 15, by striking <2018> and
5 inserting <2020>
6 3. Page 2, line 16, by striking <2019> and
7 inserting <2021>
8 4. Page 2, line 22, by striking <2016> and
9 inserting <2018>
10 5. Page 3, line 3, by striking <chief> and
11 inserting <fighter>
12 6. Page 3, after line 18 by inserting:
13 <j. One member who is a fire chief appointed by the
14 Iowa fire chiefs association.>
15 7. Page 3, after line 22 by inserting:
16 <3A. It is the intent of the general assembly
17 in establishing this task force that the task force
18 develop a coordinated plan amongst all public safety
19 disciplines that would oversee the construction of a
20 consolidated fire and police public safety training
21 facility, provide for the establishment of a governance
22 board for the public safety disciplines and the
23 consolidated facility, and to establish a consistent
24 and steady funding mechanism to defray public safety
25 training costs on an ongoing basis.>
26 8. Page 3, line 24, after <public> by inserting
27 <and shall include an emphasis on receiving input from
28 fire service, law enforcement, and emergency medical
29 services personnel>
30 9. Page 4, line 10, after <board.> by inserting
31 <Board duties would include overseeing the construction
32 and maintenance of a consolidated fire and police
33 public safety training facility.>
34 10. By renumbering as necessary.

By STEVEN J. SODDERS

S-3026 FILED MARCH 18, 2013

SENATE FILE 346

S-3027

1 Amend Senate File 346 as follows:
2 1. Page 2, after line 9 by inserting:
3 <x. An advanced registered nurse practitioner.>

By MARY JO WILHELM

S-3027 FILED MARCH 18, 2013

ADOPTED

S-3030

1 Amend Senate File 366 as follows:

2 1. Page 1, by striking lines 8 and 9 and inserting
3 <the international residential code published by the
4 international code council, 2009 edition, appendix F.
5 Notwithstanding any other provision of>

6 2. Page 1, by striking lines 21 through 23 and
7 inserting <resale shall install a passive radon
8 mitigation system in the residence and shall notify
9 the buyer of the residence that radon testing can be
10 obtained for the residence. A builder of a residence
11 for resale shall not represent to the buyer of the
12 residence that a passive radon mitigation system will
13 remediate the presence of radon.>

14 3. Page 2, by striking lines 20 and 21 and
15 inserting:

16 <b. A person shall>

17 4. Page 3, by striking lines 1 through 5 and
18 inserting <agency action guidelines.

19 b. A person>

20 5. Page 4, by striking lines 1 through 10 and
21 inserting <pursuant to section 136B.3. Fees collected
22 pursuant to this section shall be retained by the
23 department and shall be considered repayment receipts
24 as defined in section 8.2. Moneys collected from such
25 fees shall be deposited in the radon education fund
26 created in section 136B.7.

27 2. The department shall adopt rules, pursuant to
28 chapter>

29 6. Page 4, lines 17 and 18, by striking <to provide
30 radon program education> and inserting <for educational
31 purposes to promote awareness of and testing for radon
32 and for carrying out the duties of the department
33 pursuant to this chapter, including but not limited
34 to the addition of full-time equivalent positions for
35 program services and investigations>

36 7. By renumbering as necessary.

By MATT McCOY

SENATE FILE 371

S-3024

1 Amend Senate File 371 as follows:
2 1. Page 2, line 15, by striking <department.> and
3 inserting <department, accompanied by a fee of one
4 hundred dollars.>
5 2. Page 2, line 35, by striking <be not> and
6 inserting <be>
7 3. Page 3, after line 13 by inserting:
8 <h. Special registration plates with a processed
9 emblem that were approved and in production prior to
10 the effective date of this Act shall continue to be
11 issued according to the terms of the law under which
12 those plates were authorized.>
13 4. By renumbering as necessary.

By CHRIS BRASE

S-3024 FILED MARCH 18, 2013
WITHDRAWN

SENATE FILE 380

S-3033

1 Amend Senate File 380 as follows:
2 1. Page 1, by striking line 32.
3 2. Page 1, line 33, by striking <spirits permittee>
4 and inserting <retail liquor control licensee>
5 3. Page 2, lines 2 and 3, by striking <alcoholic
6 liquor permittee> and inserting <liquor control
7 licensee>

By JEFF DANIELSON

S-3033 FILED MARCH 18, 2013

SENATE FILE 384

S-3037

1 Amend Senate File 384 as follows:
2 1. Page 1, before line 1 by inserting:
3 <Section 1. Section 702.11, subsection 2, Code
4 2013, is amended by adding the following new paragraph:
5 NEW PARAGRAPH. h. Removal of an officer's
6 communication or control device in violation of section
7 708.12, subsection 3, paragraph "d".>
8 2. By renumbering as necessary.

By ROBERT M. HOGG

S-3037 FILED MARCH 18, 2013

S-3036

1 Amend Senate File 385 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <Section 1. Section 692A.106, subsection 2, Code
5 2013, is amended to read as follows:

6 2. A sex offender who has been sentenced to a
7 special sentence under section 903B.1 or 903B.2, shall
8 be required to register for a period equal to the term
9 of the special sentence, but in no case not less than
10 the period specified in subsection 1, unless discharged
11 early from the term of the special sentence imposed
12 under chapter 903B.

13 Sec. 2. NEW SECTION. 903B.3 Early discharge from
14 special sentence.

15 1. A person who is serving a special sentence prior
16 to, on, or after the effective date of this Act, may
17 file an application in district court seeking an early
18 discharge from the term of the special sentence imposed
19 under this chapter.

20 2. An application shall not be granted unless all
21 of the following apply:

22 a. The person was eighteen years of age or younger
23 when the offense requiring the special sentence was
24 committed.

25 b. The victim of the offense requiring the special
26 sentence was thirteen years of age or older when the
27 offense was committed.

28 c. The person has successfully completed all sex
29 offender treatment programs that have been required.

30 d. A risk assessment has been completed and the sex
31 offender was classified as a low or low-to-moderate
32 risk to reoffend. The risk assessment used to assess
33 an offender as a low or low-to-moderate risk to
34 reoffend shall be a validated risk assessment approved
35 by the department of corrections.

36 e. The person is not incarcerated when the
37 application is filed.

38 3. The application shall be filed in the person's
39 county of principal residence.

40 4. Notice of any application shall be provided
41 to the county attorney of the county of the person's
42 principal residence, the county attorney of the county
43 where the conviction requiring the special sentence
44 occurred, and the department of public safety. The
45 county attorney where the conviction occurred shall
46 notify the victim of an application if the victim's
47 address is known.

48 5. The court shall conduct a hearing on the
49 application to hear any evidence deemed appropriate
50 by the court. A victim, as defined in section 915.10

1 shall be provided an opportunity to be heard in any
2 format permissible under section 915.13.

3 6. The court, after the hearing, may either refuse
4 to grant the application or order that the person be
5 discharged early from the term of the special sentence.

6 7. A copy of any court order entered pursuant to
7 this section shall be sent to the person, the county
8 attorney of the person's principal place of residence,
9 the county attorney of the county where the conviction
10 requiring the special sentence occurred, and the
11 victim, if the address of the victim is known.

12 8. If the court orders the person discharged
13 early from the term of the special sentence, a copy
14 of the early discharge order shall also be sent to
15 the department of corrections, the department of
16 public safety, and to the sheriff of the county of the
17 person's principal place of residence.

18 9. If the court orders the person discharged early
19 from the term of the special sentence, the person shall
20 be immediately discharged from the special sentence,
21 and the person's name and relevant information shall
22 be removed from the sex offender registry in the
23 same manner as if the person's required period of
24 registration ended under chapter 692A.>

25 2. Title page, by striking lines 1 through 5 and
26 inserting <An Act modifying the imposition of certain
27 special sentences.>

By NANCY J. BOETTGER
ROBERT M. HOGG

SENATE FILE 387

S-3034

1 Amend Senate File 387 as follows:

2 1. Page 1, line 9, by striking <public> and
3 inserting <general corporate purpose or essential
4 corporate>

5 2. Page 1, line 19, after <fund.> by inserting <For
6 the purposes of this section, "reserve account or fund"
7 means moneys held by a city that are not operating
8 funds, as defined in section 12B.10A, and which is
9 authorized by law to receive interest pursuant to
10 section 12C.7.>

11 3. Page 1, lines 27 and 28, by striking <,
12 calculated in accordance with generally accepted
13 accounting principles,>

14 4. Page 2, line 8, by striking <statutory> and
15 inserting <constitutional>

16 5. Page 2, line 9, after <limitation> by inserting
17 <and shall be reported by the city to the state
18 treasurer in the same manner as required for bonding
19 activities pursuant to section 12.1>

20 6. Page 2, by striking lines 18 through 20 and
21 inserting <Upon approval of a loan, the loan shall be
22 accounted for in accordance with section 384.20.>

23 7. Page 2, by striking lines 23 through 25 and
24 inserting <shall be set at a rate that is between the
25 interest rate established pursuant to section 12C.6,
26 subsection 2, paragraph "a", and the interest rate
27 established pursuant to section 74A.6, subsection 2.>

28 8. By renumbering as necessary.

By JEFF DANIELSON

S-3034 FILED MARCH 18, 2013

S-3029

1 Amend Senate File 395 as follows:

2 1. Page 3, after line 8 by inserting:

3 <Sec. _____. Section 249A.3, subsection 2, paragraph
4 a, subparagraph (2), Code 2013, is amended to read as
5 follows:

6 (2) (a) As provided under the federal Breast and
7 Cervical Cancer Prevention and Treatment Act of 2000,
8 Pub. L. No. 106-354, ~~women~~ individuals who meet all of
9 the following criteria:

10 (i) Are not described in 42 U.S.C.

11 § 1396a(a)(10)(A)(i).

12 (ii) Have not attained age sixty-five.

13 (iii) Have been screened for breast and cervical
14 cancer under the United States centers for disease
15 control and prevention breast and cervical cancer early
16 detection program established under 42 U.S.C. § 300k et
17 seq., in accordance with the requirements of 42 U.S.C.
18 § 300n, and need treatment for breast or cervical
19 cancer. ~~A woman~~ An individual is considered screened
20 for breast and cervical cancer under this subparagraph
21 subdivision if the ~~woman~~ individual is screened by any
22 provider or entity, and the state grantee of the United
23 States centers for disease control and prevention funds
24 under Tit. XV of the federal Public Health Services Act
25 has elected to include screening activities by that
26 provider or entity as screening activities pursuant
27 to Tit. XV of the federal Public Health Services Act.
28 This screening includes ~~but is not limited to~~ breast
29 or cervical cancer screenings or related diagnostic
30 services provided or funded by family planning ~~or~~
31 centers, community health centers and breast cancer
32 screenings funded by the Susan G. Komen foundation
33 which, or nonprofit organizations, and the screenings
34 or services are provided to ~~women~~ individuals who
35 meet the eligibility requirements established by the
36 state grantee of the United States centers for disease
37 control and prevention funds under Tit. XV of the
38 federal Public Health Services Act.

39 (iv) Are not otherwise covered under creditable
40 coverage as defined in 42 U.S.C. § 300gg(c).

41 (b) ~~A woman~~ An individual who meets the criteria of
42 this subparagraph (2) shall be presumptively eligible
43 for medical assistance.

44 2. Page 6, after line 23 by inserting:

45 Sec. _____. MEDICAID STATE PLAN AMENDMENT. The
46 department of human services shall submit a medical
47 assistance state plan amendment to the centers for
48 Medicare and Medicaid services of the United States
49 department of health and human services to provide for
50 applicability of the federal Breast and Cervical Cancer

S-3029

Page 2

- 1 Prevention and Treatment Act of 2000, Pub. L. No.
- 2 106-354, to both men and women. The department shall
- 3 implement applicability of the program to both men and
- 4 women upon receipt of federal approval.>
- 5 3. By renumbering as necessary.

By JOE BOLKCOM

S-3029 FILED MARCH 18, 2013

ADOPTED

SENATE FILE 399

S-3028

- 1 Amend Senate File 399 as follows:
- 2 1. Page 1, line 4, by striking <and her pregnancy>
- 3 and inserting <, her pregnancy, and her baby>

By NANCY J. BOETTGER

S-3028 FILED MARCH 18, 2013

SENATE FILE 399

S-3038

- 1 Amend Senate File 399 as follows:
- 2 1. Page 1, by striking lines 19 through 24 and
- 3 inserting:
- 4 <1. "Correctional institution" means any state
- 5 correctional institution or any other detention
- 6 facility controlled by the state.>
- 7 2. Page 2, by striking lines 23 through 25.
- 8 3. Page 4, by striking lines 27 and 28 and
- 9 inserting:
- 10 <The department of corrections, in conjunction with
- 11 the department of human services,>
- 12 4. By striking page 4, line 34, through page 5,
- 13 line 1, and inserting:
- 14 <Sec. ____ . RULES.
- 15 1. The department of corrections, and the
- 16 department of human services, shall each commence
- 17 rulemaking for the>
- 18 5. Page 5, after line 6 by inserting:
- 19 <2. In addition to the rulemaking authority under
- 20 subsection 1, the department of corrections, in
- 21 cooperation with the jail inspector of the department
- 22 of corrections, the county sheriffs, and the cities
- 23 with a municipal holding facility, shall develop and
- 24 adopt rules to implement statewide maternal health
- 25 care procedures for inmates and detainees at county
- 26 jails and municipal holding facilities. The department
- 27 shall not adopt emergency rules under section 17A.4,
- 28 subsection 3, or section 17A.5, subsection 2, paragraph
- 29 "b", to implement the rules. The rules shall be
- 30 adopted by July 1, 2014.>
- 31 6. By renumbering, redesignating, and correcting
- 32 internal references as necessary.

By STEVEN J. SODDERS

S-3038 FILED MARCH 18, 2013

SENATE FILE 404

S-3035

DIV A 1 Amend Senate File 404 as follows:
2 1. Page 1, line 27, by striking <for the> and
3 inserting <for a>
4 2. Page 1, line 27, after <beginning> by inserting
5 <on or after>
6 3. By striking page 1, line 31, through page 2,
DIV A 7 line 5.

DIV B 8 4. Page 2, after line 17 by inserting:
9 <Sec. ____ LIMITED ENGLISH PROFICIENT STUDENTS –
10 STUDY AND REPORT. The department of education shall
11 conduct a study regarding the special instruction of
12 limited English proficient students that includes but
13 is not limited to an examination of the best practices
14 for such instruction and an examination of possible
15 accountability measures related to providing additional
16 funding for limited English proficient students under
17 section 280.4. The department shall solicit and
18 accept input from all relevant stakeholders. The
19 department shall submit a report on the study and
20 make recommendations to the governor and the general
21 assembly by December 15, 2013.>
DIV B22 5. By renumbering as necessary.

By NANCY J. BOETTGER

S-3035 FILED MARCH 18, 2013
DIVISION A WITHDRAWN; DIVISION B ADOPTED

SENATE FILE 427

S-3032

1 Amend Senate File 427 as follows:
2 1. Page 3, line 33, by striking <2015> and
3 inserting <2015>

By JEFF DANIELSON

S-3032 FILED MARCH 18, 2013

Fiscal Note

Fiscal Services Division



SF 304 – Public Safety Training and Equipment Trust Fund (LSB 1959SV)

Analysts: Jennifer Acton (Phone: (515) 281-7846) (jennifer.acton@legis.iowa.gov)

Jeff Robinson (Phone: (515) 281-4614) (jeff.robinson@legis.iowa.gov)

Fiscal Note Version – New

Description

Senate File 304 establishes a Public Safety Training and Equipment Trust Fund, makes an appropriation to the Fund beginning July 1, 2016 (FY 2017), provides for a Public Safety Training and Facilities Task Force, and makes appropriations. The provisions of this Bill are repealed June 30, 2018 (FY 2018).

Assumptions

- This Bill creates a Public Safety Training and Facilities Trust Fund under the control of the Iowa Law Enforcement Academy Council. The Trust Fund will consist of moneys appropriated to the Fund from the General Fund of the State based on insurance premiums tax receipts collected by insurance products (other than life insurance). Of the money in the Fund, up to 10.0% as determined by the Council, is allocated to a Capital Projects Account to be used for public safety facility needs and is subject to appropriation by the General Assembly. The remaining money in the Fund is to be used for public safety training costs and is subject to appropriation by the General Assembly.
- This Bill states that money from the Fund will not be appropriated from the Trust Fund until the fiscal year following the year the balance of the Trust Fund reaches \$8.0 million.
- This Bill appropriates to the Trust Fund from the General Fund beginning July 1, 2016 (FY 2017), and for each year thereafter. The General Fund FY 2017 appropriation is in an amount equal to the adjustment percent of the moneys collected from premium tax receipts on insurance policies (other than life insurance policies), in excess of the amount collected for calendar year (CY) 2015, as compared to CY 2013. These receipts are currently deposited in the General Fund.
- The provisions of the Bill are repealed on June 30, 2018. Therefore, the proposed Fund will only receive appropriations in FY 2017 and FY 2018. After FY 2018, the proposed Fund will no longer exist and it is assumed the money will revert to the General Fund.
- This Bill requires the Department of Revenue to transfer 100.0% of the difference in tax receipts attributable to insurance premium tax liability (other than life insurance) under [Iowa Code section 432.1\(3\)](#) for CY 2015 in FY 2017, and payments for CY 2016 in FY 2018. Because the first fiscal year for the minimum balance of the proposed Fund to reach \$8.0 million is FY 2018 and the proposed Fund will be repealed June 30, 2018, all previously appropriated money in the proposed Fund will revert back to the General Fund in FY 2019.
- The Department of Public Safety will provide administrative support.

Fiscal Impact

The appropriation to the Fund is estimated to be \$6.72 million in FY 2017 and \$8.18 million in FY 2018. The total amount in the Fund at the end of FY 2018 is estimated to be \$14.9 million; however, the Fund is set to repeal on June 30, 2018. The Fund will reach the \$8.0 million in FY 2018, permitting appropriations or expenditures to begin in FY 2019.

The diversion of insurance premium tax receipts will reduce General Fund revenue by \$6.72 million in FY 2017 and \$8.18 million in FY 2018. With the repeal of the Fund in FY 2018, it is assumed the total \$14.9 million will revert to the General Fund, and no appropriations will be made, unless other legislative action is taken.

The Department of Public Safety will hire 0.4 FTE position for an Administrative Assistant II (780 hours) to support the legislation at an annual cost of \$16,700. This Bill appropriates \$50,000 to DPS for this purpose in FY 2014 and permits the money to carry forward through FY 2017.

Sources

Department of Revenue
Department of Public Safety

/s/ Holly M. Lyons

March 18, 2013

The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

Fiscal Note

Fiscal Services Division



SF 359 – Domestic Abuse Assault, Intimate Relationships (LSB 2166SV)
Analyst: Beth Lenstra (Phone: (515) 281-6301) (beth.lenstra@legis.iowa.gov)
Fiscal Note Version – New

Description

Senate File 359 adds assault between people in intimate relationships to the definition of the crime of domestic abuse assault.

Background

Correctional and Fiscal Information

- Current law provides for a graduated system of penalties for domestic abuse assault ranging from a simple to an aggravated misdemeanor for the first conviction, a serious or aggravated misdemeanor for a second conviction, and a Class “D” felony for a third or subsequent conviction.
- Current law requires a mandatory county jail term for offenders convicted of a first or second domestic abuse assault. The Class “D” felony is a forcible felony with a mandatory term of at least one year in State prison.
- Current law requires domestic abuse offenders to participate in a Batterer’s Education Program administered by Community-Based Corrections (CBC). The annual cost per offender to participate in these classes is \$272.58.
- According to the Iowa Uniform Crime Reports (UCR), 1,048 aggravated assault victims in 2009 were boyfriend/girlfriend of the assailant. This group comprised 16.7% of all aggravated assault victims that year. For simple assault, there were 3,994 boyfriend/girlfriend victims of the assailant. This group comprised 20.3% of all simple assault victims that year.
- The marginal cost per day for State prison is \$17.60. The average cost per day for parole or probation in CBC is \$3.66. The marginal cost per day for CBC residential facilities is \$11.82; 94.0% of that amount is paid from local resources.
- The current statewide CBC residential facility capacity is 1,461 beds. There were 494 offenders waiting for a CBC residential facility bed on March 11, 2013.
- According to the Justice Data Warehouse, the Criminal and Juvenile Justice Planning Division (CJJPD), and the Department of Corrections (DOC), the following are estimates for sentencing and length of stay by offense class for domestic abuse assault:

Criminal Justice System Information

Conviction Offense Class	Percent Sentenced to State Prison	Avg Length of Stay in Prison	Percent Sentenced to Probation	Avg Length of Stay on Probation	Avg Length of Stay on Parole	Percent Sentenced to CBC Res. Facility	Avg Length of Stay in CBC Res. Facility	Percent Sentenced to County Jail	Avg Length of Stay in County Jail
Simple Misdemeanor	0	0	0	0	0	0	0	36.50%	8 days
Serious Misdemeanor	3.5%	12.0 months	58.7%	12.5 months	0	36.1%	5.8 months	72.0%	31 days
Aggravated Misdemeanor	14.7%	9.0 months	61.3%	20.4 months	5.5 months	31.8%	5.8 months	46.1%	45 days
Class "D" Felony	100.0%	20.6 months	0.0%	0	12.5 months	0.0%	0	0.0%	0

Minority Data Information

The table below shows FY 2012 offender-based convictions for assault by minorities, according to the Iowa Court Information System (ICIS). Minority offenders are disproportionately convicted of both nondomestic abuse and domestic abuse assault, compared to their percentage of the Iowa population.

**Percentage of Minority Offenders
Convicted of Assault Types
by Misdemeanor Class**

Offense Class	Minority
Simple Misdemeanor	
Assaults	23.4%
Domestic Abuse Assault	24.9%
Serious Misdemeanor	
Assaults	33.1%
Domestic Abuse Assault	35.2%
Aggravated Misdemeanor	
Assaults	32.0%
Domestic Abuse Assault	40.1%

Refer to [Minority Impact Statements](#), dated February 11, 2013, for information related to minorities in the criminal justice system.

Assumptions

Correctional and Fiscal Information

- Charge, conviction, and sentencing patterns and trends will not change over the projection period.
- Prisoner length of stay, revocation rates, plea bargaining, and other criminal justice policies and practices will not change over the projection period.
- The law will become effective July 1, 2013. A lag effect of six months is assumed from the effective date of the Bill to the date of first entry of affected offenders into the correctional system.
- Approximately 16.7% of offenders convicted of indictable misdemeanor assault and 20.3% of offenders convicted of simple misdemeanor assault will be subject to the enhanced penalties in the Bill.
- There will be a corresponding decrease in convictions of other types of assault.
- The impact on the court system and indigent defense is expected to be minimal, as these offenders would have been tried and convicted of assault under current law.
- There will be an increase in county jail populations for misdemeanor convictions. Marginal costs for county jails cannot be determined due to a lack of data. For the purpose of this analysis, the marginal cost for county jail is \$15.00 per day.

Minority Data Information: The impact on minorities will remain consistent with current data.

Summary of Impacts

Correctional Impact

There will be an estimated 1,249 offenders annually convicted under this Bill. These offenders are currently in the criminal justice system. However, they are currently convicted of assault, not domestic abuse assault. The enhanced penalties of domestic abuse assault will have the net impact on the correctional system indicated in the following table:

Net Admissions to the Correctional System

	<u>FY 2014</u>	<u>FY 2015</u>	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>
County Jail	271	533	518	514	514
State Prison	0	7	21	29	29
CBC Residential Facility	2	10	13	10	10
Probation/Parole	16	46	62	62	70
Total	<u>289</u>	<u>596</u>	<u>614</u>	<u>615</u>	<u>623</u>

Offenders sentenced to county jail may or may not receive a sentence of probation supervision. An unknown percentage of offenders admitted to county jail in the table above will also be counted in the Probation/Parole increase. All offenders will be required to attend the Batterer's Education Program.

Prison Population Impact

	<u>FY 2014</u>	<u>FY 2015</u>	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>
Aggravated Misdemeanants	0	6	10	9	9
Class "D" Felons	0	0	8	23	29
Total	<u>0</u>	<u>6</u>	<u>18</u>	<u>32</u>	<u>38</u>

Admissions to the State prisons exceed the projected increase in the prison population for FY 2015 and FY 2016 because the majority of admissions are aggravated misdemeanants with an average length of stay of less than one year. The projected increase in the prison population exceeds admissions in FY 2017 and FY 2018 because the majority of admissions are Class "D" felons with an average length of stay that exceeds one year.

Minority Impact

To the extent the Bill results in additional criminal convictions, there will be a disproportionate impact on minorities. Under current law, minorities are approximately 23.4% to 33.1% (varies by offense class) of offenders convicted of assault. Under the Bill, approximately 24.9% to 40.1% may be minorities, especially Blacks or Hispanics. Additional criminal convictions will result in an increased number of minority offenders supervised in the corrections system, and they will be supervised for a longer period than under current law.

Fiscal Impact

The fiscal impact is estimated to be an increased cost of \$237,800 in FY 2014 and \$564,000 in FY 2015. The table below shows the impact by funding source. County jail costs are expected to level off in FY 2015 at approximately \$110,200 annually. State General Fund costs are expected to increase over the five-year correctional impact projection period, as repeat offenders receive enhanced penalties under the Bill. For example, Class "D" felons start entering the State prison system in FY 2015.

Fiscal Impact by Funding Source

	FY 2014				FY 2015			
	County Budgets	General Fund	Local Funds	Total	County Budgets	General Fund	Local Funds	Total
Jail	\$ 52,700	\$ 0	\$ 0	\$ 52,700	\$ 110,200	\$ 0	\$ 0	\$ 110,200
State Prison	0	0	0	0	0	33,300	0	33,300
CBC	0	181,200	3,900	185,100	0	401,200	19,300	420,500
Total	<u>\$ 52,700</u>	<u>\$ 181,200</u>	<u>\$ 3,900</u>	<u>\$ 237,800</u>	<u>\$ 110,200</u>	<u>\$ 434,500</u>	<u>\$ 19,300</u>	<u>\$ 564,000</u>

To the extent that the Bill results in more no-contact orders being issued, and subsequently violated, the impact on county jail operations will exceed the impact indicated in this fiscal note.

Sources

Department of Human Rights, Criminal and Juvenile Justice Planning Division
Department of Corrections
Judicial Branch
State Public Defender's Office
Department of Public Safety

/s/ Holly M. Lyons

March 18, 2013

The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

Fiscal Note

Fiscal Services Division



SF 366 – Radon School Testing (LSB 1136SV)

Analyst: Shawn Snyder (Phone: (515) 281-7799) (shawn.snyder@legis.iowa.gov)

Fiscal Note Version – New

Description

Senate File 366 requires radon gas testing and control for new residential construction to be implemented beginning on July 1, 2013. Additionally, this Bill requires public and nonpublic schools to be tested for radon gas in each school building by June 30, 2025, and each 10-year period thereafter. If the results of the testing process exceed the specified levels, this Bill requires school districts and nonpublic schools to implement a mitigation plan within one year and provide for additional testing and monitoring following the mitigation process.

Other provisions of this Bill include:

- Allows for Physical Plant and Equipment Levy (PPEL) funds to be used for radon testing and radon mitigation.
- Creates a Radon Education Fund for the deposit of fees collected by the Department of Public Health (DPH). Requires the fees collected by the DPH to be used for radon certification and credentialing programs, for the costs associated with additional full-time equivalent (FTE) positions required for program services and investigations, and may be used for educational purposes to promote awareness of and testing for radon.
- Requires that noncompliance with an order to remedy the specified conditions will result a simple misdemeanor.

Assumptions

Assumptions for the estimated fiscal impact include:

- Radon fees collected by the DPH will be maintained by the DPH or deposited in the Radon Education Fund rather than be deposited in the General Fund.
- The DPH will require an additional 0.5 FTE position needed to implement the provisions of the Bill.
- The DPH may need to increase fees to cover the additional costs resulting from enactment of the Bill.
- No significant correctional impact is associated with this Bill.
- Public school districts will be required to test schoolrooms within each school building. The LSA estimates that approximately 10.0% to 15.0% of school districts currently do some radon testing in their school buildings (all currently test for radon in preschool rooms). Additionally, the LSA estimates that there are currently 95,000 schoolrooms in public school buildings that will require radon testing by June 30, 2025.
- Nonpublic schools will be required to test schoolrooms within each school building. The LSA estimates that there are approximately 10,600 nonpublic schoolrooms that will require radon testing by June 30, 2025.
- Cost of radon tests is \$5.00 per test. Cost of radon mitigation will vary, and may range between \$5,000 and \$15,000. Additionally, in some cases, ventilation adjustments can lead to radon reduction.
- The mitigation costs resulting from positive radon testing are unknown. Public school districts may use PPEL funding to pay costs associated with the radon mitigation process. Additionally, in some cases (based on each school district's revenue purpose statement),

school districts may use funds from the Secure an Advanced Vision for Education (SAVE) Fund to pay costs associated with the radon mitigation process.

- Nonpublic school districts do not receive PPEL funds or SAVE funds and will not be able to access those specified funds to pay costs associated with radon testing or the radon mitigation process.

Fiscal Impact

This Bill has the following fiscal impacts:

- Beginning in FY 2014, a reduction in General Fund Revenue totaling \$160,000 annually. The radon fee revenue will be used by the DPH to cover costs associated with staffing, administering, and implementing the requirements of this bill. Any fees remaining will be deposited in the Radon Education Fund.
- The DPH indicates the provisions of this Bill will require \$228,000 annually to cover costs associated with staff and administration, which is an increase of \$65,000 above the current law amount. The DPH will use radon fee revenues to cover the additional costs resulting from the requirements in this Bill. Additionally, the DPH may need to increase fees to fully cover costs associated with the Program.
- The LSA estimates the total cost to provide radon testing to public school building schoolrooms is approximately \$470,000. However, the testing provision can be phased in between FY 2015 and FY 2025 and the total costs could be less than \$50,000 per year (equivalent to about \$144 per school district per year).
- The cost estimate for radon mitigation to public school districts is currently unknown and will depend on the number of radon tests that provide positive radon results. Any costs associated with the radon mitigation process may lead to property tax increases through the additional use of PPEL funds or any additional modified allowable growth amounts granted by the School Budget Review Committee for radon mitigation purposes. However, the use of SAVE funds (if allowed based on the district's revenue purpose statement) may offset any property tax increases resulting from the radon mitigation process.
- The cost estimate for radon testing for nonpublic schools is approximately \$54,000. The testing provision can be phased in between FY 2015 and FY 2025 and the total costs could be approximately \$5,000 per year (equivalent to about \$30 per nonpublic school per year). Any costs for nonpublic schools associated with radon mitigation are unknown.
- Refer to the [Correctional Impact Memo](#) dated February 11, 2013, for information related to correctional penalties. This Bill will have a minimal correctional impact.

Sources

Iowa Department of Public Health

Iowa Department of Education, 2012-2013 Public and Nonpublic School Address file

Iowa Association of School Boards

LSA analysis and calculations

/s/ Holly M. Lyons

March 18, 2013

The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

Fiscal Note

Fiscal Services Division



SF 386 – Transportation Department Policies (LSB 2154SV)
Analyst: David Heuton (Phone: (515) 725-0509) (david.heuton@legis.iowa.gov)
Fiscal Note Version – New

Description

Senate File 386 is the Department of Transportation's policy bill making various changes to **Iowa Code chapters 321** and **321J** to bring Iowa into compliance with 23 U.S.C. §164. This bill also provides that an electronic display of proof insurance is acceptable as proof of financial responsibility as required under **Iowa Code chapter 321A**.

Section 9 of this Bill amends **Iowa Code section 321.208** to add violating a state or local law or ordinance prohibiting texting or using a mobile phone while operating a commercial motor vehicle to the current list of offenses that may disqualify a person from holding a commercial driver's license (CDL). This Section does not create any new offense or amend any current Iowa law regarding texting or using a mobile phone while driving, it only tracks conviction for violations of existing laws. Iowa must come into compliance with federal law by October 1, 2013, or risk the loss of federal Motor Carrier Safety Assistance Program (MCSAP) funding.

Sections 12, 13, and 14 of this Bill amend Iowa's repeat operating while intoxicated (OWI) offender laws to comply with recent amendments to 23 U.S.C. §164. The amendments require states to enforce a law that requires a repeat offender that drives on a restricted license before the end of his or her revocation to drive only vehicles equipped with an ignition interlock device (IID) for a period of one year. Failure to comply with 23 U.S.C. §164 will result in an annual shift of 2.50% of Iowa's federal highway construction dollars to safety programs.

Fiscal Impact

The fiscal impact of failing to adopt the changes made in Section 9 of this Bill may be an annual loss of \$3.0 million in federal MCSAP funds that support motor carrier safety functions conducted by Motor Vehicle Enforcement and Iowa State Patrol officers.

The fiscal impact of failing to pass Sections 12, 13, and 14 of this Bill will result in the annual diversion of approximately \$10.5 million from the construction program to safety programs.

Source

Department of Transportation

/s/ Holly M. Lyons

March 18, 2013

The fiscal note for this bill was prepared pursuant to **Joint Rule 17** and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

Fiscal Note

Fiscal Services Division



SF 394 – Health Care Facility Informal Conference on Contested Citations (LSB 1705SV)
Analyst: Dwayne Ferguson (Phone: (515) 281-6561) (dwayne.ferguson@legis.iowa.gov)
Fiscal Note Version – New

Description

Senate File 394 relates to informal conferences on contested citations in health care facilities or assisted living programs. This Bill replaces the current informal conference in which the director of the Department of Inspections and Appeals (DIA) assigns a representative of the Department who was not involved in the contested citation to hold an informal conference with a new process for handling contested citations of health care facilities or assisted living programs. This Bill will require an independent reviewer (an Iowa-licensed attorney with experience or training in geriatric long-term care) to hold the informal conference concurrently with any informal dispute resolution required by federal regulations rather than being held by a representative of the DIA. The independent reviewer cannot have appeared in front of the DIA as an attorney on behalf of a health care facility in the past eight years and cannot have been employed by the DIA in the last eight years. This Bill removes the current informal review process for assisted living programs that receive a regulatory insufficiency and replaces it with an exit interview and informal conference similar to that provided for health care facilities.

Assumptions

- There were 78 informal conferences and informal dispute resolution cases conducted by DIA in FY 2012 at a cost of \$16,000.
- Costs for informal dispute resolution cases vary from \$590 per case to \$2,200 per case across different states.
- The number of cases in future years will be similar to FY 2012.
- The cost for a case in Iowa will fall within the same range as other states.

Fiscal Impact

It is estimated that the changes in this Bill will increase the costs for the DIA for informal conferences from \$16,000 annually to between \$46,000 and \$172,000 annually.

Source

Department of Inspections and Appeals

/s/ Holly M. Lyons

March 18, 2013

The fiscal note for this bill was prepared pursuant to **Joint Rule 17** and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

Fiscal Note

Fiscal Services Division



SF 395 – Child Welfare Policy, Human Services Department (LSB 1151SV)
Analyst: Jess Benson (Phone: (515) 281-4611) (jess.benson@legis.iowa.gov)
Fiscal Note Version – New

Description

Senate File 395 makes the following changes to various Department of Human Services (DHS) Programs:

- Eliminates the Comprehensive Family Support Council required under Iowa Code. The Family Support Subsidy Program is being phased out and the Council is no longer necessary.
- Prohibits electronic transactions involving Family Investment Program (FIP) benefits in any liquor store; any casino, gambling casino, or gaming establishment; or any retail establishment that provides adult-oriented entertainment where performers disrobe or perform in an unclothed state for entertainment. These changes are required under the federal Middle Class Tax Relief and Jobs Creation Act of 2012.
- Makes a number of mandatory changes required by the federal Patient Protection and Affordable Care Act (ACA) of 2010, including:
 - This Bill implements a new foster care coverage group and eliminates the Medicaid for Young Adults group, as those individuals will be covered under the new foster care coverage group. Foster care children are required to be covered to the age of 26.
 - Amends the expiration date of the IowaCare waiver from October 31, 2013, to December 31, 2013, for compliance with the ACA maintenance of effort (MOE) requirements.
 - Makes changes to the CHIP (hawk-i) program due to requirements regarding eligibility determinations and simplification of the application process. Also included are necessary technical changes and obsolete provisions for hawk-i that are not related to the ACA.

Assumptions

- There are 3,154 Foster Care adults between the age of 18 and 26 that will be eligible for Medicaid coverage under this new group in the first year. It is estimated that 25.0% (789) will not seek coverage through Medicaid or will continue coverage under another Medicaid program. Of the remaining 2,365 youth, 1,182 (50.0%) will apply in the first year for coverage, with the remaining youth applying in FY 2015.
- The DHS will require an additional 1.5 Income Maintenance Worker 2 positions in FY 2014 and FY 2015 to handle the additional enrollment in the Medicaid Program.
- The DHS will require 300 hours in reprogramming of the Medicaid Management Information System (MMIS), at \$85.00 per hour, to meet federal reporting requirements. The federal government pays 90.0% of these costs.
- The DHS is required to develop a new aid-type for federal reporting codes (Parts A, B, C, & D). The changes to the IABC and TXIX systems will require a total of 750 hours programming at \$85.00 per hour. The federal government pays approximately 58.35% of these costs.

- It is estimated that the DHS will require \$600,000 for a third-party administrator to reprogram the hawk-i computer system to capture and relay data with the new eligibility system. The federal government pays approximately 70.0% of these costs.

Fiscal Impact

These changes, required by the Affordable Care Act, are estimated to cost the State General Fund \$468,000 in FY 2014 and \$1.5 million in FY 2015. A summary of the impact is listed below.

FY 2014 Provision	State	Federal	Total
Foster Children age 18-26 Medicaid	\$ 200,000	\$ 275,000	\$ 475,000
Total of 1.5 Field Staff in FY 2014	58,238	24,334	82,572
MMIS Reprogramming	6,375	19,125	25,500
hawk-i System Reprogramming	176,696	423,304	600,000
Other Aid System Reprogramming	26,558	37,192	63,750
Total	\$ 467,867	\$ 778,955	\$ 1,246,822
FY 2015 Provision	State	Federal	Total
Foster Children age 18-26 Medicaid	\$ 1,400,000	\$ 1,900,000	\$ 3,300,000
Total of 3 Field Staff in FY 2015	116,476	48,668	165,144
Total	\$ 1,516,476	\$ 1,948,668	\$ 3,465,144

Source

Department of Human Services

/s/ Holly M. Lyons

March 18, 2013

The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.



SF 419 – Vision Screening for School Children (LSB 2014SV)
Analyst: John Parker (Phone: (515) 725-2249) (john.parker@legis.iowa.gov)
Fiscal Note Version – New

Description

Senate File 419 requires the parent or guardian of a child to ensure that the child is screened for vision impairment at least once before enrollment in kindergarten and again before enrollment in 3rd grade. This Bill provides multiple options for vision screenings, and evidence of the vision screening is to be provided to the school district by a parent or guardian or a vision screening provider as referenced in the Bill. The Department of Public Health (DPH) is required to collect and maintain vision screening reports that are provided by the person that performs a vision screening. The DPH is required to establish procedures to contact the parent or guardian of children in need of vision correction based on the results of a required vision screening to provide information on obtaining necessary vision correction.

Background

In FY 2013, the DPH received a General Fund appropriation allocation of \$150,000 to support contractual agreements for child vision screening programs. The programs are offered through the University of Iowa (Iowa Kidsight) and Prevent Blindness Iowa.

Assumptions

- The DPH estimates 70,000 children will be screened through the program each year.
- School districts will not incur any additional costs associated with collecting evidence of a vision screening from a parent or guardian or a vision screening provider as referenced in the Bill.
- A one-time technology upgrade to Iowa's Immunization Registry will be required to receive and monitor child vision screening results.
- After the first year of the upgrade to Iowa's Immunization Registry, yearly hosting and maintenance costs will be required to maintain the vision screening collection system.
- An additional 1.0 FTE position will be required to monitor data entry compliance with Iowa's Immunization Registry, monitor school/provider screening results reporting, and conduct analysis of child vision screening data.
- An additional 0.5 FTE position will be required to contact the parent or guardian of children in need of vision correction based on the results of an eye examination to provide information on obtaining necessary vision correction.
- Salaries are expected to grow 3.0% annually.

Fiscal Impact

The General Fund fiscal impact of **SF 419** is estimated to be an additional cost of \$307,201 in FY 2014 and \$146,952 in FY 2015. The following table breaks out the costs associated with Iowa's Immunization Registry upgrade and the FTE positions. The fiscal impact to the General Fund associated with the FTE positions will continue in succeeding fiscal years increasing by 3.0% annually.

	FY 2014	FY 2015
Iowa's Immunization Registry		
Vision Screening System Upgrade	\$ 200,000	\$ 0
Hosting and Maintenance	0	39,384
FTE Positions		
Additional 1.0 FTE position to monitor the Vision Screening System	71,364	73,505
Additional 0.5 FTE position to contact the parent or guardian	31,784	32,738
FTE Support - computer package	1,403	0
FTE Support - office supplies, phone, printing costs, other	2,650	1,325
Total General Fund Impact:	\$ 307,201	\$ 146,952

Source

Iowa Department of Public Health

/s/ Holly M. Lyons

March 18, 2013

The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

Fiscal Note

Fiscal Services Division



SF 420 – Buy American Act (LSB 1041SV)

Analyst: Dwayne Ferguson (Phone: 515-281-6561) (dwayne.ferguson@legis.state.ia.us)

Fiscal Note Version – New

Description

Senate File 420 requires each contract for a State or local government public improvement to contain a provision requiring that the iron, steel, and manufactured goods used in the project be manufactured in the United States. The requirement can be waived if implementation will be contrary to public interest, if necessary products are not available in sufficient quantity or quality, or if it will increase the cost by more than 5.0%. Provisions are included for publication of and public comment on the waiver and, for not applying the exclusion to certain foreign countries. The penalty for intentionally misrepresenting products as “Made in America” is exclusion from bidding on future contracts by that person.

Background

The Department of Transportation (DOT) had \$579.0 million in primary road and interstate lettings in FY 2012. This represents an annual cost. Of that total, DOT estimates materials cost \$352.4 million, and 20.0% of the materials were manufactured materials costing \$70.5 million. The Department had a \$10.3 million budget and approximately 120 staff responsible for materials testing, certification, and administration.

The Department of Administrative Services (DAS) identified the cost of recent public improvement projects at \$444.3 million, including construction for two prisons. Materials costs are approximately \$200.0 million. These projects will be completed over several years and cannot be stated in terms of annual costs.

The Regents universities’ experience with the federal buy-American legislation indicates the requirements add approximately 1.0% to the cost of projects. The more restrictive approach in this Bill is estimated to add another 1.0%, for a total increase of 2.0% in project costs.

Assumptions

- The use of American-made products will be included in the design and request for proposal stages and will be handled in the same manner as other requirements relative to the quality of materials. This may somewhat increase the complexity and design costs.
- The federal “Buy America” requirements apply to steel, so it is assumed that governmental entities receiving federal aid are already partially adhering to the requirements in this Bill.
- The requirements for American-made “goods used in the performance of the contract” do not apply to equipment owned and used by contractors and subcontractors, but only to the materials used to build the public improvement.
- State agencies have staff or contract managers that sample and test materials as part of the process of overseeing construction projects. This Bill will add another element of verifying the source in the materials inspection process and will require more staff. The Board of Regents estimates a need for 2.5 additional staff positions. The DAS will likely have increases similar to the Regents universities. The DOT will add an additional 10 positions

for horizontal infrastructure and one staff for vertical infrastructure at a cost of \$79,874 per position.

- Horizontal infrastructure projects will experience a 1.0% increase in materials costs.
- This Bill will increase vertical infrastructure public improvement project costs by 2.0%, unless projects are scaled back because of limited resources.
- Purchasing American-made products will have a positive economic impact that is not limited to Iowa.

Fiscal Impact

Highway and interstate horizontal infrastructure projects managed by the DOT are projected to have an annual cost increase of \$705,000 for manufactured materials and \$799,000 for 10 additional staff for materials certification and related responsibilities, bringing the total increase for these types of projects to \$1.5 million annually.

The Regents universities and DAS will incur increased personnel costs of approximately \$205,000 each. The cost for DOT staff for vertical infrastructure projects is approximately \$80,000.

Vertical infrastructure public improvements can be expected to increase by 2.0%. While it is not possible to provide a specific annual value for public improvement projects, it is expected that for each \$100.0 million of vertical public improvement projects, the costs would increase by \$2.0 million.

The positive economic impact of buying American-made products cannot be estimated.

Infrastructure projects are seldom funded from the General Fund, so the increase in costs would come from other funding sources.

Sources

Department of Administrative Services
Iowa State Association of Counties
Department of Transportation
Board of Regents

/s/ Holly M. Lyons

March 18, 2013

The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

Fiscal Note

Fiscal Services Division



SF 422 – Earned Income Tax Credit Increase (LSB 1123SV)
Analyst: Jeff Robinson (Phone: (515) 281-4614) (jeff.robinson@legis.iowa.gov)
Fiscal Note Version – New

Description

Senate File 422 increases Iowa's current Earned Income Tax Credit (EITC) from 7.0% of the federal credit amount to 20.0% of the federal amount. The change is retroactive to January 1, 2013.

Background

The Iowa EITC is refundable, meaning Iowa EITC beneficiaries receive refunds if the EITC exceeds individual income tax liability. According to the Department of Revenue, the current 7.0% Iowa EITC reduces net General Fund revenue by \$30.2 million (FY 2013 estimate).

Fiscal Impact

Increasing Iowa's refundable EITC from the current 7.0% of the federal credit to 20.0% will reduce net income tax liability of taxpayers by \$55.3 million for tax year 2013 and \$52.4 million by tax year 2017. The impact on net General Fund revenue by fiscal years is presented in the following table.

Fiscal Impact by Fiscal Year	
in millions of dollars	
	State General Fund
FY 2013	\$ -0.3
FY 2014	-56.0
FY 2015	-54.0
FY 2016	-53.2
FY 2017	-52.3

The Iowa EITC is refundable. Changes to refundable tax credits do not impact the local option income surtax for schools calculation.

Source

Department of Revenue

/s/ Holly M. Lyons

March 18, 2013

The fiscal note for this bill was prepared pursuant to **Joint Rule 17** and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.
